

**MINUTES
ORDINANCE COMMITTEE MEETING
TOWNSHIP OF MONROE
MAY 4, 2022**

A.) OPENING CEREMONIES

CALL TO ORDER

The Ordinance Committee Meeting of the Township of Monroe was called to order at approximately 7:00 PM by **Ordinance Chairwoman, Cncl. Chelsea Valcourt** in the Courtroom of the Municipal Complex, located at 125 Virginia Avenue, Williamstown, New Jersey.

This meeting was advertised pursuant to the New Jersey Open Public Meetings Act (*N.J.S.A. 10:4-6 thru 10:4-21*). Notices were placed in the official publications for the Township of Monroe (i.e.: South Jersey Times, Courier Post and The Sentinel of Gloucester County). A copy of that notice is posted on the bulletin board at the Municipal Complex and on the Monroe Township website.

SALUTE TO THE FLAG

Cncl. O'Reilly led the Assembly in the Pledge of Allegiance to Our Flag.

ROLL CALL

Cncl. Katherine Falcone	Present
Cncl. Ronald Garbowski	Present
Cncl. Steven McKinney	Present
Cncl. Patrick O'Reilly	Present
Cncl. Chelsea Valcourt	Present
Cncl. Vice-Pres. Carolann Fox	Present
Cncl. Pres. Gregory Wolfe	Present
Mayor Richard DiLucia	Present
Solicitor, John Trimble	Present
Dir. of Public Works, Nicholas Mercado	Present
Police Chief Monahan	Present
Deputy Municipal Clerk, Jennifer Harbison	Present

B.) APPROVAL OF MINUTES

Cncl. Vice-Pres. Fox made a motion to approve the minutes as submitted of the Ordinance Committee Meeting of March 2, 2022. The motion was seconded by **Cncl. Pres. Wolfe** and unanimously approved by all members of Council with the exception of Cncl. Garbowski who abstained.

C.) ORDINANCES FOR REVIEW

- **Ordinance Implementing the Five-Year Tax Exemption and Abatement Law for South Jersey Storage, LLC**

**MINUTES
ORDINANCE COMMITTEE MEETING
TOWNSHIP OF MONROE
MAY 4, 2022**

C.) ORDINANCES FOR REVIEW (cont'd)

Solicitor Trimble advised that the Tax Abatement Committee approved the abatement and the Ordinance contains the standard abatement language. **Cncl. O'Reilly** clarified, the abatement this business is seeking is to build out the last two (2) buildings that were a part of their original land use approval and will complete their project. **Cncl. Vice-Pres. Wolfe** made a motion to move forward the Draft Ordinance Implementing the Five-Year Tax Exemption and Abatement Law for South Jersey Storage, LLC for First Reading at the Council Meeting of May 9, 2022. The motion was seconded by **Cncl. Garbowski** and unanimously approved by all members of Council.

D.) MATTERS FOR DISCUSSION

- **Chapter 175-163.4 "Land Management" – Cannabis/Armed Security**

Police Chief Monahan stated that he had the opportunity to visit The Botanist on April 21st, noting it was very well run and they carry a tremendous amount of product. He spoke with the head of security who advised that the majority of their sales are cash. Chief Monahan noted, several surrounding towns who allow cannabis are requiring armed security during the business hours. Currently, The Botanist has armed security but it is not mandated that they have to continue to have armed security, where other towns have it mandated to have armed security. Chief Monahan asked Council to consider amending the current Cannabis Ordinance to state that Monroe Township mandates that all cannabis facilities have armed security. He noted that The Botanist is an establishment with a crime of opportunity, as it is located on the border of two (2) towns, two (2) separate counties with a tremendous avenue of escape and possible violence. **Cncl. Falcone** stated, the State mandates the armed security, noting she is unsure if the municipality can regulate the security at specific facilities. She has spoken with the manager of The Botanist regarding their security plan, the plan they have in place when the money is transported from the facility and the stated approved security they have currently in place within the facility. She said the question is, is the municipality allowed to mandate armed security, as the state is specific in what the municipalities can mandate. **Solicitor Trimble** will research whether the municipality can mandate armed security and report back. **Cncl. Falcone** asked Chief Monahan if he is looking for the police department to provide the security or a third-party security, to which Chief Monahan replied not the police department, but an outside armed security to be in the public view, as part of a deterrent of possible crime and violence. **Mayor DiLucia** stated, if the Township can legally mandate armed security, he feels very strongly that the Township should mandate it and do everything possible to secure the safety of the residents of Monroe Township. **Cncl. Falcone** advised, she has a call into the Cannabis Regulatory Commission already, so she will ask them if the Township can mandate armed security and report back.

- **Chapter 280 "Animal Control" – Backyard Chicken Pilot Program**

Deputy Municipal Clerk, Jennifer Harbison spoke regarding a few questions that her and Municipal Clerk, Aileen Chiselko had concerning the amended Backyard Chicken Pilot

**MINUTES
ORDINANCE COMMITTEE MEETING
TOWNSHIP OF MONROE
MAY 4, 2022**

D.) MATTERS FOR DISCUSSION (cont'd)

Program Ordinance, which Solicitor Register had provided prior to the meeting. She asked if the Backyard Chicken Pilot Program should be kept under Chapter 280 "Board of Health" or moved into its' own chapter. In Section A on page one, the effective date of the revised pilot program is incorrect as it states 2022 and it should state 2021. In Section K, it should be amended to state that the Chicken Advisory Board should have five (5) full members and two (2) alternate members, as it was discussed at the March Ordinance Committee Meeting. With regards to the renewal process, Mrs. Chiselko suggested to make it easier for the licensee, instead of implementing a yearly license renewal, that this license be a one-time license fee, similar to that of the alarm license, with yearly inspections by the Chicken Advisory Board to ensure the licensee is remaining in compliance with the Code and if it is found that the licensee is no longer in compliance, their license shall be revoked. **Cncl. Pres. Wolfe** said, from previous discussions, he feels it should be consistent with the dog and cat license renewal process and be a yearly renewal, to which Cncl. O'Reilly agreed. **Cncl. Falcone** said, she also feels that it should be a yearly renewal fee and expressed her interest in raising the license fee from \$10.00 to \$25.00. **Cncl. Valcourt** asked if there should a one-time fee followed by a yearly inspection fee. **Cncl. O'Reilly** disagreed with the yearly inspection fee as the Township is not performing the inspection, the Chicken Advisory Board performs the inspections. He believes that the Township should hold to the same constancy as the dog and cat licenses, where it is an annual fee. **Cncl. McKinney** said, he does not feel that the Clerk's Office needs to keep track of the inspections, noting, it is an issued license until the Chicken Advisory Board relays that it is a failed license and needs to be revoked. Cncl. O'Reilly said, during the pilot program, the license should state an expiration date of the end of the pilot program, however, long term it should be an annual renewal process. He suggested, from an inspection standpoint that the Chicken Advisory Board has to provide for all of the licensees, that all inspections for anyone participating in the program are to be done annually in the month of January, to which Cncl. Valcourt stated the problem with that is having the Board inspect so many places in one month. Cncl. Falcone said January is a cold month and not a good month to perform inspections. Cncl. O'Reilly suggested keeping it simple by having the Chicken Advisory Board perform the annual inspection and advise the Clerk's office if there is a problem. Cncl. McKinney agreed, saying to let the Board perform the inspections at their leisure throughout the year and only alert the Clerk's Office when there is a problem. Ms. Harbison said, with the Board performing inspections throughout the year and not in a specific timeframe, it makes it difficult for the Clerk's Office to ensure that it is renewed by a certain date, suggesting maybe as the Board performs an inspection, they can email the Clerk's Office advising that the inspection is complete, and once the Clerk's Office receives the email, they can send out a renewal notice to the licensee. Cncl. Valcourt suggested selecting a month to have everyone renew their license by, to which Cncl. Falcone suggested June. Ms. Harbison asked if the inspections are to be done during the pilot program, to which Cncl. O'Reilly said, under the pilot they should still be required to honor an annual inspection to ensure they are remaining in compliance. Cncl. Pres. Wolfe noted, he agrees with the suggestion of the Chicken Advisory Board sending an email, some sort of documentation, to the Clerk's Office once the inspection is complete. Ms. Harbison asked Council, if they want to keep the annual renewal fee at \$10.00 similar to that of the dog and cat license. Cncl. O'Reilly said, he would prefer since the program is still in pilot stage, to leave the fees consistent with the current fee of \$10.00 and if program is brought out of pilot in

**MINUTES
ORDINANCE COMMITTEE MEETING
TOWNSHIP OF MONROE
MAY 4, 2022**

D.) MATTERS FOR DISCUSSION (cont'd)

two years, it can be reevaluated at that time. **Cncl. Valcourt** asked what the current renewal process is, to which Ms. Harbison explained there is not a current renewal process, they have collected the initial \$10.00 fee but have not requested any additional money from the licensees, as there is not a clear renewal process stated within the Ordinance. **Solicitor Trimble** read aloud paragraph F on page 2 of the Ordinance, where it reads that every licensee issued shall expire on December 31st, noting that implies it expires, so a new fee is required. He stated that language can be cleaned up to state a yearly fee. **Cncl. Pres. Wolfe** suggested leaving the Backyard Chicken Pilot Program in Chapter 280 while it is still in pilot, to which **Cncl. O'Reilly** agreed. Solicitor Trimble reviewed the amendments that need to be made, the dates of the Ordinance on page 1 are going to be revised, it will be stated that the Chicken Advisory Board shall consist of five (5) full members and two (2) alternate members, required yearly inspections, annual registration fee of \$10.00, along with the addition of the language stating that once the inspection is complete that the Board will send documentation to the Clerk's Office. **Cncl. Falcone** asked if a Council liaison is needed as stated in section K, noting she does not feel it necessary, to which Cncl. O'Reilly agreed to remove that during the duration of the pilot.

E.) NEW BUSINESS - None

F.) UNFINISHED BUSINESS - None

G.) PUBLIC PORTION

Cncl. Garbowski made a motion to open the Public Portion. The motion was seconded by **Cncl. Pres. Wolfe** and unanimously approved by all members of Council.

Stu Gerstein, 116 Castlebay Drive spoke regarding the Community Gardens, noting that Council has recently agreed to move the gardens under the direction of the Environmental Protection Commission. Mr. Gerstein has spoken with Dan Kozak, Chairperson of the Environmental Protection Commission to provide an inventory of what is stored at the garden, in terms of tools and equipment, a copy of the previously used rules and registration form and discussed that the registration fees will now go directly to the Clerk's Office. Mr. Kozak had requested some revisions to the rules, which have been incorporated. The returning gardeners are excited to have the opportunity to be able to continue the garden this year. On behalf of all of the gardeners, Mr. Gerstein thanked the Township for picking up the gardens this year. He asked if an Ordinance or a Resolution is needed to memorialize the relationship between the Township and the Community Garden. **Cncl. Pres. Wolfe** asked if the garden's rules and responsibilities need to be added under the Environmental Protection Commission Code. **Solicitor Trimble** does not believe a Resolution is required, however, he will research the current Environmental Protection Commission language to see what needs to be added. Cncl. Pres. Wolfe does not believe there is anything in place to charge the gardeners for the use of the gardens, asking if this is something that Council can waive this year because of the timely matter

**MINUTES
ORDINANCE COMMITTEE MEETING
TOWNSHIP OF MONROE
MAY 4, 2022**

G.) PUBLIC PORTION (cont'd)

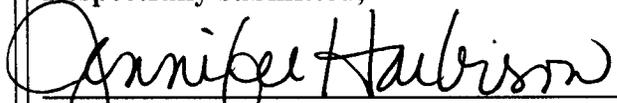
and let them garden this year and ensure everything is properly in place for next year's gardening season. Solicitor Trimble advised, Council can always waive fees and that would have to be by Resolution. **Cncl. McKinney** spoke in reference to Resolution R:167-2016 where it discusses the Community Gardens being under Sustainable Monroe, along with Ordinance O:12-2017 which discusses the lease agreement between Sustainable Monroe and the Township for the use of the Community Gardens. A discussion followed regarding the cost to use the gardens. Solicitor Trimble suggested touching base with Dan Kozak to see what the Environmental Protection Commission's intension is on the exchange of money and what those funds would be used for. Mr. Gerstein stated, the gardeners are in favor of continuing to pay the minimal \$10.00 fee to use the gardens, as it keeps a connection between the gardens and the gardeners. He noted, during the last five (5) years of the community gardens, the Township has taken care of the grass around the perimeter of the gardens, while the gardeners have a small lawn mower and take care of the grass in the aisle ways. He said, he explained to Mr. Kozak that they do need a little bit of money for gas for the mower, to which Mr. Kozak advised the Township could help with a 3-gallon can of gas. Mr. Gerstein said, the gardeners can support themselves without any funding and the \$10.00 fee will keep the connection between the gardens and the gardeners. **Cncl. O'Reilly** recommended given the situation and the time frame, that Council waive fees for this year and get everything re-established and confirmed with the Environmental Protection Commission beginning next year. **Cncl. Falcone** asked, how do the gardeners water the gardens, to which Cncl. O'Reilly explained that the MMUA installed water during the first year of the gardens and Mr. Gerstein noted, the Township provides the gardeners with leaf mulch a couple times of year as needed. Solicitor Trimble suggested, after he researches the matter, if there are fees due, Council make a motion to waive such fees for the 2022 year. Cncl. Pres. Wolfe asked the Mayor if the gardeners are allowed to begin planting at the gardens without Council having the Resolution and Ordinance in place at this time, as it is Township property, to which **Mayor DiLucia** granted his permission. Cncl. McKinney recommended to Mr. Gerstein that either himself or one of the gardeners to become a member of the Environmental Protection Commission.

With no one else wishing to speak, **Cncl. Garbowski** made a motion to close the Public Portion. The motion was seconded by **Cncl. Vice-Pres. Fox** and unanimously approved by all members of Council.

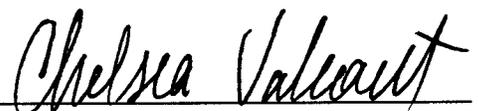
H.) ADJOURNMENT

With nothing further to discuss, **Cncl. Garbowski** made a motion to adjourn the Ordinance Committee Meeting of May 4, 2022. The motion was seconded by **Cncl. Vice-Pres. Fox** and unanimously approved by all members of Council.

Respectfully submitted,



Deputy Municipal Clerk, Jennifer Harbison



Presiding Officer

**MINUTES
ORDINANCE COMMITTEE MEETING
TOWNSHIP OF MONROE
MAY 4, 2022**

These minutes were prepared from excerpts of the recorded proceedings and hand-written notes taken during the Ordinance Committee Meeting of May 4, 2022 and serve only as a synopsis of the proceedings. The official recording may be heard in the Office of the Township Clerk upon proper notification pursuant to the Open Public Records Law.

Approved as submitted _____  _____ Date 6/1/2022
Approved as corrected _____ Date _____